

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

CHRISTOPHER SCOTT BURTON,  
#05245233

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:18cv414

**ORDER OF DISMISSAL**

This case was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation on July 30, 2020. (Dkt. # 19). The Magistrate Judge concluded that Petitioner's case should be denied because Petitioner's sentence has been satisfied; thus, he is no longer "in custody," and the Court lacks subject matter jurisdiction. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. In response to the Report and Recommendation, Petitioner submitted a letter in which he re-urges the issues he raised in his petition. (Dkt. # 20). The Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** the petition for writ of habeas corpus (Dkt. # 1) is **DENIED**, and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is further **ORDERED** all motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this 26th day of August, 2020.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE